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turn-around transit, where the vessel enters and exits the same set of locks at either Canal terminus.

§ 104.9 Cancellations.

(a) A vessel agent may cancel the transit reservation of a vessel by giving notice prescribed by Canal authorities. In such event, and except as otherwise provided, a cancellation fee will be charged. The amount of the fee will depend on the amount of notice (days or hours) received by Canal authorities in advance of the vessel's required arrival time, according to the following schedule:

Notice periods (in advance of required arrival time)	Cancellation fee (the greater of)
31 to 364 days	10% of booking fee or \$500.
22 to 30 days	40% of booking fee or \$750.
4 to 21 days	60% of booking fee or \$1000.
3 days to 8 hours	80% of booking fee or \$1,250.
Less than 8 hours	100% of booking fee.

(b) Receipt of notice of cancellation of a transit reservation by Canal authorities after the vessel's required arrival time will result in levy of a cancellation fee equal to the entire prescribed booking fee.

§ 104.10 Regular transits.

Vessels that are not booked for transit will be scheduled for movement through the Canal on the date and in the order determined by Canal authorities. In establishing the daily schedule of vessels to be moved through the Canal, the order in which vessels arrive is only one of several considerations. In general, regular transits will equal or exceed in number, one-half the total number of daily vessel transits.

§ 104.11 Temporary suspension of system.

(a) Canal authorities may temporarily suspend, in whole or in part, for whatever period of time deemed necessary, the vessel transit reservation system established by this part, whenever Canal authorities determine that such action is necessary to ensure continued safe and efficient operation of the Canal.

(b) No penalty or fee will be levied against any vessel booked for transit whose reserved transit slot is canceled

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by reason of a temporary suspension of the system pursuant to this section.

§ 104.12 Further implementation.

(a) To facilitate safe and efficient operation of the system, Canal authorities may establish additional policies and procedures, define additional terms and issue clarifications and interpretations not inconsistent with the provisions of this part. Such further implementation will be published and distributed to Canal customers through notices to shipping or other appropriate means determined by Canal authorities.

(b) In the event any provision of this part conflicts with any implementation provision issued pursuant to this section, the provisions of this part shall govern.

PART 105—PILOTAGE

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AUTHORITY: Issued under authority of the President by 22 U.S.C. 3811, E.O. 12215, 45 FR 36043.

SOURCE: 46 FR 63182, Dec. 30, 1981, unless otherwise noted.

§ 105.1 Pilots required.

(a) Except as provided by §§ 105.2, 105.3, and 105.7 or by paragraph (c) of this section, no vessel shall pass through, enter or leave the Canal, or maneuver in the Canal or waters adjacent thereto, including the ports of Cristobal and Balboa, without having a Panama Canal pilot on board.

(b) Normally a vessel will, unless advised to the contrary by the Canal Operations Captain or his designee, be boarded by the Panama Canal pilot inside the breakwater at a point north of the Mole Beacon at the Atlantic entrance and in the Merchant Vessel Anchorage to seaward of Buoys 1 and 2 at the Pacific entrance.

(c) In conformity with past practice, vessels anchored in Anchorage Area C and Anchorage Area F, as shown in the

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Pilot Handbook, Limon Bay Chart, may proceed to sea without a Panama Canal Pilot on board. All such vessels, prior to getting under way, must obtain permission to depart from the Cristobal Signal Station.

(d) Whenever the Administrator finds there is a critical shortage of certified Panama Canal pilots available for movement of vessels in Canal waters, he may suspend the rule on compulsory pilotage set out in paragraph (a) of this section. The Administrator shall impose such conditions upon the suspension of the rule, with respect to any given vessel, as are reasonable and appropriate to protect human life and property and to safeguard the facilities of the Panama Canal.

[46 FR 63182, Dec. 30, 1981; 47 FR 54072, Dec. 1, 1982, as amended at 51 FR 36011, Oct. 8, 1986; 55 FR 11909, Mar. 30, 1990]

§ 105.2 Exemptions from compulsory pilotage.

The following vessels are exempt from compulsory pilotage, except when the Canal Operations Captain or his designee considers a pilot necessary; nevertheless a pilot will be furnished any such exempted vessel if requested by the commanding officer or Master thereof:

(a) Local craft such as United States Army and United States Navy mine-sweepers, landing craft, patrol boats and tugs, and Panama Canal Commission tugs and equipment, except as limited by paragraph (c) of this section.

(b) Any vessel that makes frequent calls to Canal waters and whose current officers and crew are, in the opinion of the Canal Operations Captain or his designee, capable, by reason of such frequent calls and otherwise, of safely navigating within Canal waters and are so certified, except as limited by paragraph (c) of this section.

(c) Vessels and craft enumerated in paragraphs (a) and (b) of this section may be permitted to transit the Canal without a pilot when, in the opinion of the Canal Operations Captain or his designee, the current officers and crew have the necessary experience and ability to make safe transit and such transit is specifically approved. Whenever any such vessel or craft makes transit without a pilot, the Canal Operations

Captain or his designee shall dispatch it with a larger vessel carrying a pilot and it shall lock through with that vessel. The Canal Operations Captain or his designee shall control the movements of such vessel or craft through Gaillard Cut so as to minimize the danger of its being a navigational hazard to larger vessels.

(d) Any other vessel or craft as and to the extent exempted by the Marine Director.

[46 FR 63182, Dec. 30, 1981, as amended at 55 FR 11909, Mar. 30, 1990]

CROSS REFERENCE: Vessels passing through locks without pilot aboard, in accordance with this section, to be under direction of Lockmaster, see § 109.7(b).

§ 105.3 Vessels in distress.

A vessel in danger or distress is not prohibited from entering the waters of the Canal any time, but such vessel shall, when practicable, give due notice in advance, by radio or otherwise, and obtain a pilot, if possible. Such vessel shall, except in an emergency, anchor in the designated anchorage area.

CROSS REFERENCE: Merchant-vessel anchorage, see § 101.8.

§ 105.4 Pilotage charges.

Pilotage for vessels in transit through the canal is free, but whenever any vessel requires a pilot for other than transit, it is liable for the applicable pilotage charge.

§ 105.5 Pilotage beyond Atlantic breakwater.

Should a vessel desire a pilot to meet it outside the Atlantic breakwaters, such vessel shall remain there and make signal to that effect.

[31 FR 12292, Sept. 16, 1966]

§ 105.6 Status and function of pilot.

The pilot assigned to a vessel shall have control of the navigation and movement of such vessel.

[31 FR 12292, Sept. 16, 1966]

§ 105.7 Status and function of transit advisor.

Vessels less than 20 meters in length, except those described in § 105.2 (a) and (b), will be assigned a Panama Canal